

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

IDEL CASTRO PLAZA

DEBTOR

CASE NO. 14-04945-BKT

CHAPTER 13

**DEBTOR'S OBJECTION TO CLAIM NO. 7-1
FILED BY LUZ NAHIR MARTINEZ SANTIAGO**

TO THE HONORABLE COURT:

COMES NOW, IDEL CASTRO PLAZA, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. That Luz Nahir Martinez Santiago ("Martinez"), filed proof of claim 7-1, as an unsecured priority creditor, claiming Domestic Support Obligations ("DSO") arrears in the sum of \$33,000.00, in the above captioned case.

2. That Martinez's claim 7-1 is hereby objected on the following grounds:

a. That a DSO claim must be based on a Judgment or Resolution issued by a State Court.

b. That pursuant to Rule 3001(c) of the Federal Rules of Bankruptcy Procedure (FRBP), proof of claim 7-1 requires that a copy of the "writing" (Court Judgment/Resolution) must be filed with the proof of claim.

c. That the DSO priority claim for \$33,000.00, is not based on the supporting documents filed with claim 7-1, i.e. *Judgment* dated October 4, 2005, or the *Motion* dated August 20, 2014. Therefore, proof of claim 7-1 lacks the required "writing" pursuant to FRBP Rule 3001(c).

Page -2-
Debtor's Objection to Claim 7-1
Case no. 14-04945-BKT13

d. Furthermore, supporting document filed with proof of claim 7-1, discloses debtor and **debtor's minor son's complete names and complete social-security numbers.**

e. That pursuant to FRBP Rule 9037(a), an electronic filing made with the court that contains an individual's social-security number or the name of an individual, other than the debtor, known to be and identified as a minor, may include only the last four digits of the social-security number and the minor's initials.

WHEREFORE, debtor respectfully requests this motion be granted, and that Martinez's claim 7-1 **be deleted and disallowed.**

NOTICE PURSUANT TO LOCAL RULE 3007-1 (c): Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 900(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise. If you file a timely response, the may – in its discretion – schedule a hearing. Local Rule 3007-1 (c).

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of he Court using the CM/ECF filing system which will send notice of such to Alejandro Oliveras Rivera, Esq. Chapter 13 Trustee; Monsita Lecaroz Arribas, Esq., Assistant US Trustee; I also certify that a copy of this motion was sent via US Mail to: DSO creditor, Luz Nahir

Page -3-
Debtor's Objection to Claim 7-1
Case no. 14-04945-BKT13

Martinez Santiago, 4 Crest Rd, Villerica, MA, 01821; State Court Counsel for DSO creditor, Carmen A. Rios Rivera, Cond Lemans 602 Munoz Rivera Ste 305-307 San Juan, PR 00918; and to the debtor, Idel Castro Plaza, 266 Savannah Real II San Lorenzo, PR 00754.

RESPECTFULLY SUBMITTED, in San Juan, Puerto Rico, this 8th day of December, 2014.

/s/Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
ATTORNEY FOR PETITIONERS
PO BOX 186 CAGUAS PR 00726
TEL NO 787-744-7699 FAX NO 787-746-5294
Email: rfigueroa@rfclawpr.com